

REMARKS/ARGUMENTS

These remarks are submitted in response to the Office Action dated February 5, 2008 (Office Action). As this response is filed within the three-month shortened statutory period, no fee is believed due. However, the Examiner is expressly authorized to charge any deficiencies to Deposit Account 50-0951.

Claim Rejections – 35 USC § 103

On the basis of new grounds of rejection noted in the Office Action, Claims 1, 4-14, and 17-30 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Published Patent Application No. 2002/0010715 to Chinn, *et al.* (hereinafter Chinn), in view of U.S. Patent No. 6,275,378 to Schuba, *et al.* (hereinafter Schuba), and further in view of U.S. Patent 6,269,336 to Ladd, *et al.* (hereinafter Ladd) and U.S. Published Patent Application 2004/0006478 to Alpdemir (hereinafter Alpdemir).

Applicants respectfully disagree with the claim rejections and thus have not amended the claims to overcome the rejections.

The Claims Define Over the Cited References

The rejections in this Office Action appear to be almost identical to those in the previous Office Action, save for referencing the newly-cited reference Alpdemir, which was cited as disclosing

repeating a previous presentment of a menu or other prompt if a first event occurs subsequent to another event (Figure 5);

a second event occurs after repeating the previous presentment of the menu or other (Figure 5);

if the first event occurs subsequent to another event, no longer presenting the previous menu or other prompt (Figure 5: Here a user is presented with a prompt for selection criteria. Based upon the user entered criteria, it is determined if the inputted data is recognized. If the request is recognized, request is played back, and the user is returned to a previous

menu to make more entries. If the request is not recognized, the user is informed that a no-match condition has occurred, and a counter is incremented. If the counter is less than the threshold, the user is returned to a previous menu).

It is noted that the features of Claim 1 have been totally misquoted. The actual features of Claim 1 are as follows:

repeating a previous presentment of a menu or other prompt if a first time-out event occurs subsequent to a no-match event;

if a second time-out event occurs after repeating the previous presentment of the menu or other prompt, presenting a predetermined help message; and,

if the first time-out event occurs subsequent to a no-response event, presenting the predetermined help message such that the previous presentment of the menu or other prompt is not repeated.

Noting the different treatments of the help message when a first time-out even occurs after a no-match event, a first time-out even occurs after a no-response event, and when a second time-out event occurs after repeating the menu or prompt. Fig. 5 of Alpdemir shows a simple voice user interface, with nothing that states or suggests the above features of Claim 1.

Also, as already discussed in previous responses, Applicants believe that none of the cited references discloses distinguishing between a user-initiated help request and a default help request and setting different values for time interval for receiving user input depending on whether the even is classified as a user-initiated help request or a default help request (a smaller value when the event is classified as a ser initiated help request). The same rejections in this regard have been repeated in this Office Action without commenting on Applicant's arguments.

As discussed in previous response, Ladd discloses differentiating between no-match and no-response events, but is silent regarding distinguishing between a user-initiated help request and a default help request.

Schuba discloses in col. 10, lines 25-28:

Preferably, time period T1 is set to a value significantly less than the default time-out duration commonly associated with the targeted destination host 54.

It is noted that the time period T1 and the default time-out as disclosed in Schuba have nothing to do with the time intervals set in the present invention for receiving a user input. Especially, the time period T1 and the default time-out as disclosed in Schuba are not set depending on a classification of the even as a user-initiated help request or a default help request.

It is further noted that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either explicitly or implicitly in the references themselves or in the knowledge generally available to one of ordinary skill in the art. The mere fact that references can be combined or modified does not render the resultant combination obvious unless the prior art also suggests the desirability of the combination. *In re Mills*, 916 F.2d 680, 16 USPQ2d 1430 (Fed. Cir. 1990).

Accordingly, the cited references, alone or in combination, fail to disclose or suggest each and every element of Claims 1, 5, 14, 18, and 27-28. Applicants therefore respectfully submit that Claims 1, 5, 14, 18, and 27-28 define over the prior art. Furthermore, as each of the remaining claims depends from Claim 1, 5, 14, or 18 while reciting additional features, Applicants further respectfully submit that the remaining claims likewise define over the prior art.

Applicants thus respectfully request that the claims rejections under 35 U.S.C. § 103 be withdrawn.

CONCLUSION

Applicants believe that this application is now in full condition for allowance, which action is respectfully requested. Applicants request that the Examiner call the undersigned if clarification is needed on any matter within this Amendment, or if the

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Examiner believes a telephone interview would expedite the prosecution of the subject application to completion.

Respectfully submitted,

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